

KAREN L. BASHOR, ESQ.  
Nevada Bar No. 11913  
CHRISTOPHER D. PHIPPS, ESQ.  
Nevada Bar No. 3788

Nevada Bar No. 3788  
**WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP**

**WILSON, ELSER, MOSKOWITZ, E**  
6689 Las Vegas Blvd. South Suite 200

8889 Las Vegas Blvd.  
Las Vegas Nevada 89

Las Vegas, Nevada 89119  
(702) 727-1264; FAX (702) 727-1401

(702) 727-1284, FAX (702) 727-1401  
Karen.Bashor@wilsonelser.com

[Christopher.Phipps@wilsonelser.com](mailto:Christopher.Phipps@wilsonelser.com)

[Christopher.Phipps@wilsonelser.com](mailto:Christopher.Phipps@wilsonelser.com)  
Attorneys for Defendant/Third-Party

*Attorneys for Defendants/Third-Party Plaintiff*  
**AMAZON.COM INC.**

AMAZON.COM, INC.

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

JUSTIN ORNELAS, JASMINE ORNELAS  
and J.O., A MINOR BY AND THROUGH  
HIS GUARDIAN AD LITEM JUSTIN  
ORNELAS

**CASE NO.: 2:22-CV-00304-JCM-DJA**

**JOINT STATUS REPORT AND STIPULATION  
AND ORDER TO EXTEND STAY OF  
DISCOVERY FOR ADDITIONAL 60 DAYS**

## Plaintiffs

v.

AMAZON.COM, INC.,  
VOKHIDZMON ABDUKARIMOV  
and DOES I through X, Inclusive.

### Defendants.

AMAZON.COM, INC., a foreign corporation.

#### **Third-Party Plaintiff.**

V

INKAS, LLC, a foreign corporation, DOES  
I through X, ROE BUSINESS ENTITIES 1  
through 10, inclusive,

### Third-Party Defendants.

IT IS HEREBY STIPULATED AND AGREED BETWEEN Plaintiffs JUSTIN ORNELAS,

JASMINE ORNELAS and J.O.: A MINOR BY AND THROUGH HIS GUARDIAN AD LITEM

1 JUSTIN ORNELAS, Defendants AMAZON.COM, INC., and VOKHIDZMON  
2 ABDUKARIMOV, by and through their respective undersigned counsel of record that the stay of  
3 discovery in this action be extended for an additional sixty (60) days, through and including June  
4 30, 2023, for good cause as set forth below.

5 **I. RELEVANT FACTUAL BACKGROUND**

6 This matter arises out of a vehicular accident on April 30, 2021, in Clark County, Nevada  
7 between a passenger vehicle occupied by Plaintiffs, Justin Ornelas, Jasmin Ornelas, and J.O. (a  
8 minor) and a tractor-trailer (“semi”) driven by Vokhidzmon Abdulkarimov (“Abdulkarimov”).  
9 Plaintiffs allege Abdulkarimov was driving a semi pulling an Amazon branded trailer on Interstate  
10 15 northbound in Las Vegas at approximately 9:30 p.m. Plaintiffs claim Abdulkarimov rear-ended  
11 their vehicle causing injuries to each of them as a result of his negligence. The Nevada Highway  
12 Patrol reports this incident as four-vehicle collision in which the vehicles in front of Abdulkarimov  
13 had slowed for traffic. The impact from the semi forced Plaintiffs’ vehicle to also collide with a  
14 vehicle in front of it, which then forced that vehicle to collide the vehicle in front of it.  
15

16 The traffic accident report identified a total of nine occupants in the three passenger vehicles  
17 involved in the collision. Currently, this lawsuit only involves the three occupants of the passenger  
18 vehicle struck by the semi. Defense counsel are aware of six (6) other claimants in the other two  
19 passenger vehicles. Since the prior Stipulation for Stay (ECF No. 30) was filed in this action,  
20 Defendant Amazon was served with a Complaint in state court by the four occupants of one of the  
21 two remaining vehicles for their respective bodily injury claims (the “Largaespada Action”).  
22 Amazon has since removed the Largaespada Action to this Court and noticed the Court of the related  
23 case pursuant to LR 42-1:  
24

25 *Roger Largaespada, Jose Orlando Largaespada, Irene Largaespada, Gloria Ruth  
26 Largaespada, vs. Vokhidzmon Abdulkarimov, OXOS, LLC; Amazon.com, Inc., Inkas,*  
27

1           **LLC, BXT, Inc., et al.. U.S.D.C. Case No.: 2:23-cv-00609**

2       See, Defendant Amazon.com, Inc.'s Notice of Related Case Pursuant to LR 42-1 (ECF No. 34),  
3       filed April 20, 2023.

4       If the Court does not consolidate the *Largaespada* action with this action *sua sponte* pursuant  
5       to LR 42-1(b), Amazon will seek a stipulation or file an appropriate motion for consolidation.

6       The statute of limitations expires for the two remaining non-party claimants from the third  
7       passenger vehicle (the Rivera claimants) on April 30, 2023. If the Rivera claimants file a timely  
8       action, Defendants intend to remove and consolidate that action with this action as well since those  
9       claims would also arise out of the same subject traffic accident and likely involve the same  
10      defendants. Based upon the information currently available to Defendants, Defendants believe that  
11      diversity jurisdiction in this court will be preserved with the consolidation of the *Largaespada* and  
12      the Rivera action, if timely filed.

13      Additionally, Third-Party Defendant INKAS, LLC, was served with the Summons and Third-  
14      Party Complaint in this action on February 21, 2023, (ECF No. 29) but has not yet appeared in the  
15      action. The insurance carrier for INKAS, LLC, has requested an extension from Amazon through  
16      April 30, 2023, for them to make a final coverage determination before Amazon takes any adverse  
17      action with respect to the Third-Party Complaint filed in this action.

18      Lastly, on March 3, 2023, Plaintiffs' filed a Motion for Leave of Court to Amend the Complaint.  
19      (ECF No. 31) Plaintiffs' Amended Complaint would add INKAS, LLC, BXT, INC., and OXOS,  
20      LLC, as defendants, while still preserving diversity jurisdiction. On April 4, 2023, the Court entered  
21      an Order (ECF No. 33) granting Plaintiffs' Motion for Leave to Amend Complaint. The Amended  
22      Complaint has yet to be filed or served.

23           **II.           GOOD CAUSE FOR EXTENDING THE STAY OF DISCOVERY**

24      The parties submitted their prior Stipulation and Order to Stay Discovery (ECF No. 30), on

1 March 1, 2023, seeking a six month stay based upon the facts above. In its Order (ECF No. 32)  
2 entered March 6, 2023, the Court granted in part the request for stay, but only through April 30,  
3 2023. The Order further instructed the parties to file the instant stipulation by April 30, 2023, if  
4 there was good cause to extend the stay, or alternatively present the Court with a proposed amended  
5 discovery schedule.

6 For the reasons set forth herein, the parties believe there is good cause to extend the stay for  
7 sixty (60) days, through and including June 30, 2023. If the Rivera claimants file a timely Complaint  
8 in state court, the sixty day extension should permit sufficient time for service of process and time  
9 for Defendants to remove the action to this Court and to consolidate the action with the instant case.  
10

11 Additionally, the sixty day extension will provide Plaintiffs in this action to file and serve their  
12 Amended Complaint on the newly added defendants.

13 Based on the foregoing, a sixty (60) day extension will promote judicial efficiency and permit  
14 reasonable time to complete the tasks outline above. Accordingly, the parties hereby stipulate to  
15 extend the current stay of discovery by sixty (60) days, through and including June 30, 2023.  
16

17 **IT IS SO STIPULATED.**

18 DATED this 27<sup>th</sup> day of April, 2023.

19 **STOLL, NUSSBAUM & POLAKOV**

21 BY: /s/Robert J. Stoll, III

22 Robert J. Stoll, Jr., Esq., SBN 47173  
23 Robert J. Stoll, III, Esq., SBN 236031  
24 Bagriel A. Siniscal, Esq., SBN 14761  
11620 Wilshire Boulevard, Suite 500  
Los Angeles, California 90025  
*Attorneys for Plaintiffs*

DATED this 27<sup>th</sup> day of April, 2023.

**WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP**

21 BY: /s/ Christopher D. Phipps, #3788

22 Karen L. Bashor, Esq.  
Christopher D. Phipps, Esq.  
6689 Las Vegas Blvd. South, Suite 200  
Las Vegas, Nevada 89119  
*Attorneys for Defendant/Third-Party  
Plaintiff AMAZON.COM, INC.*

1 DATED this 27<sup>th</sup> day of April, 2023.  
2  
3

4 **BREMER WHYTE BROWN & O'MEARA LLP**  
5

6 BY: /s/Elizabeth M. Deane  
7

Anthony T. Garasi, Esq.  
Elizabeth M. Deane, Esq.  
Andrew Sharples, Esq.  
1160 N. Town center Drive, Suite 250  
Las Vegas, NV 89144  
*Attorneys for*  
**VOKHIDZMON ABDUKARIMOV**

8  
9 **ORDER**  
10

11 Pursuant to the Stipulation above, IT IS HEREBY ORDERED THAT the current stay of  
12 discovery in this matter be extended by sixty (60) days, through and including June 30, 2023, by  
13 which time the parties must present the Court with a Joint Status Report and a proposed Amended  
14 Discovery Schedule.

15 DATED this 28th day of April 2023.  
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17   
18 DANIEL J. ALBREGTS  
19 UNITED STATES MAGISTRATE JUDGE  
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